

UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF TENNESSEE
AT GREENEVILLE

SONNY FORBES)
)
v.) NO. 2:05-CV-28
)
BROADSPIRE SERVICES, INC.)

ORDER

This matter is before this Court the May 2, 2006, Report and Recommendation [R&R] of Magistrate Judge Dennis H. Inman in the above-titled case. [Doc. 41]. Magistrate Judge Inman was asked to determine “whether it was the parties’ collective intent [in the first suit] to settle all claims Mr. Forbes may have had at that time, including long-term and short-term disability benefits.” [Doc. 36]. No objections to the Report and Recommendation have been filed.

In the R&R, Magistrate Judge Inman found that “Without a doubt, some ‘stitches were dropped’ with respect to the settlement of the first suit, but there is absolutely no indication there ever was an intent to cheat or defraud” Mr. Forbes. He then concluded that “Whether the settlement of that first suit nevertheless *effectively* bars plaintiff’s current suit for long-term disability benefits because it precludes him from establishing the pre-requisite six-month period of continuous disability remains a viable issue.”

This court accepts and adopts the May 2, 2006, Report and Recommendation for the reasons expressed in the Report and Recommendation. The court will address the viable issue identified by Judge Inman in a separate memorandum opinion.

ENTER:

s/J. RONNIE GREER
UNITED STATES DISTRICT JUDGE